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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,764	04/13/2006	Seiji Iwai	2006-0480A	3820
52349 7590 10/08/2008 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006				
EXAMINER				
WAITS, ALAN B				
ART UNIT		PAPER NUMBER		
3656				
MAIL DATE		DELIVERY MODE		
10/08/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/575,764

**Applicant(s)**

IWAI ET AL.

**Examiner**

ALAN B. WAITS

**Art Unit**

3656

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-854)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 4/13/2006, 10/16/2007

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "cables" and then further recites "a cable bundle". It is unclear if the cable bundle includes the cables recited previously.

Claim 1 recites the limitation "with a length out of an entire length of the cables". It is unclear what this limitation means. The limitation seems out of place in the claim.

The term "substantially" in claim 1 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al US 2003/0200831 in view of Yamanashi USP 5561273 and in further view of Tanaka et al. JP S59-71492.

Matsumoto discloses a similar device comprising:

Re clm 1:

- A cable-passing (103, fig 4) hole formed in a side of an arm (101, fig 4)
- Cables (10, fig 4) routed between an inside and an outside of the arm through the cable-passing hole
- The mold guide is disposed, with a length out of an entire length of the cables, on an outer perimeter of the cable bundle

Although Matsumoto does indeed disclose:

- a mold guide (105, fig 4) disposed in an inside of the cable-passing hole
- a cable bundle (10, fig 4) passed through an inside of the mold guide

he does not explicitly disclose the mold guide (105, fig 4) being a cylindrical mold guide.

Yamanashi teaches a cable holding device comprising:

- a cylindrical mold guide (1, fig 1)

for the purpose of creating a watertight seal (abs).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsumoto and provide a cylindrical mold guide for the purpose of creating a watertight seal.

Matsumoto further does not disclose:

- filler resin applied to the inside of the mold guide

Tanaka teaches a corrosion-protected cable comprising filler resin (clm 1) applied to the inside of the mold guide (2, fig 3) for the purpose of providing a corrosion-protected cable.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Matsumoto in view of Hiroyuki and provide filler resin applied to the inside of the mold guide for the purpose of providing a corrosion-protected cable.

Tanaka's corrosion-protected cable further comprises:

- a region (10, fig 3) that is inside the mold guide and adjacent to the cable-passing hole is filled with the filler resin applied in a direction substantially orthogonal to a direction in which the cable bundle runs, [so that the cable bundle is retained by the resin filler]

Re clm 2, Yamanashi's cable holding device further comprises:

- a sealant (7, fig 1) [for sealing a gap between the cable-passing hole and the mold guide]

Re clm 3, Yamanashi's cable holding device further comprises:

- the sealant is a solid gasket (7, fig 1)

Re clm 4, Yamanashi's cable holding device further comprises:

- the solid gasket is an O-ring (7, fig 1)

Re clm 5, Matsumoto further discloses:

- the cable-passing hole is formed in a vicinity of a joint section of the arm (fig 4)

Re clm 6, Tanaka's Corrosion-protected cable further comprises:

- the filler resin is epoxy resin (clm 1)

Regarding the functional recitation(s) in the claim(s) above denoted by the "[ ]" the examiner notes while features of an apparatus may be recited either structurally or functionally, claims directed to >an< apparatus must be distinguished from the prior art in terms of structure rather than function. The reference discloses all the claimed structural limitations and therefore anticipates the claim. See MPEP 2114. Additionally, the apparatus is capable of performing the claimed functions.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Back et al US 2005/0034552 discloses a similar robot.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN B. WAITS whose telephone number is (571)270-3664. The examiner can normally be reached on Monday through Friday 7:30 am to 5 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alan B Waits/  
Examiner, Art Unit 3656

/Richard WL Ridley/  
Supervisory Patent Examiner, Art Unit 3682